

1 JOSEPH P. RUSSONIELLO (CABN 44332)
2 United States Attorney

3 BRIAN J. STRETCH (CABN 163973)
4 Chief, Criminal Division

5 WADE M. RHYNE (CABN 216799)
6 Assistant United States Attorney

7 1301 Clay Street, Suite 340-S
8 Oakland, CA 94612
9 Telephone: (510) 637-3693
10 Facsimile: (510) 637-3724
11 E-Mail: wade.rhyne@usdoj.gov

12 Attorneys for Plaintiff

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17 UNITED STATES OF AMERICA,) No. CR 07-0811 SBA
18 Plaintiff,)
19 v.) STIPULATION TO SCHEDULE
20 DALE PATRICK GRABMAN,) HEARING FOR CHANGE OF PLEA AND
21 Defendant.) SENTENCING; ORDER EXCLUDING
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Plaintiff, by and through its attorney of record, and defendant, by and through his attorney of record, hereby stipulate and ask the Court to find as follows:

1. The government and defendant have reached a negotiated disposition in which defendant will plead guilty to a binding plea agreement.

2. Accordingly, the parties hereby submit the proposed plea agreement, submitted under separate cover for the Court's consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C). The parties further stipulate and request that the Court find and order the following:

(a) That the parties have submitted a plea agreement for the Court's

1 consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C), and that a hearing for
2 change of plea and imposition of judgment and sentence be scheduled for 10:00 a.m. on
3 September 23, 2008; and that the time period from June 24, 2008, through September 23, 2008,
4 is excludable under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(1)(I) because that
5 period of delay results from consideration by the Court of a proposed plea agreement entered
6 into by the defendant and the government pursuant to Federal Rule of Criminal Procedure
7 11(c)(1)(C).

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9 IT IS SO STIPULATED.

10 Respectfully submitted,

11 JOSEPH P. RUSSONIELLO
12 United States Attorney

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14 Dated: 6/13/08

15 WADE M. RHYNE
16 Assistant United States Attorney

17 Attorney for Plaintiff
18 UNITED STATES OF AMERICA

19 Dated: 6/13/08

20 /s/
21 MICHAEL P. SEMANSKY
22 Attorney for Defendant

23
24 ORDER

25 FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

26 A hearing for change of plea and imposition of judgment and sentence is hereby
27 scheduled for 10:00 a.m. on September 23, 2008. Time is excluded for purposes of the Speedy
28 Trial Act from June 24, 2008, through the hearing date of September 23 2008, pursuant to 18
U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a
proposed plea agreement entered into by the defendant and the government pursuant to Federal
Rule of Criminal Procedure 11(c)(1)(C). The United States Probation Office is ordered to

prepare a Presentence Report for defendant.

DATED: 6/17/08

**HONORABLE SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE**